

Serial No.: 10/606,827
Atty. Docket No.: P68029US1

REMARKS

The Final Office Action has been carefully reviewed and Applicant notes with appreciation the identification of allowable subject matter.

By this Amendment, Applicant has canceled claims 2, 3, 7-13, 15, 16, 22-25 and 27, amended claims 1, 14, 17 and 18, and added claim 28. Claims 1, 4-6, 14, 17-19, 26 and 28 are pending in the application. Claims 1, 14 and 28 are independent.

The Examiner objected to the amendment filed on September 3, 2005, under 35 U.S.C. 132(a) as introducing new matter into the disclosure. In connection with this objection, the Examiner also rejected claims 1, 3-8 and 26 under 35 U.S.C. 112, first paragraph, as not being enabled by the specification. Specifically, the objection and rejection were directed to the previous amendment of claim 1 which added in line 1 thereof, an "encased munition". Applicant has deleted this text herein. Withdrawal of the objection and rejection is therefore requested.

The Examiner rejected claims 1 and 14 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,523,475 to Smalley. The Examiner objected to claims 16-19 and 27 as being dependent on a rejected base claim but stated that claims 16-19 and 27 would be allowable if rewritten in independent form including

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all of the limitations of the base claim and any intervening claims.

Claims 1 and 14 have been amended herein to incorporate the subject matter of claims 3 and 16, respectively. Thus, claim 14 is allowable in accordance with the Examiner's identification of allowable subject matter in claim 16. Claim 1 is also considered to be allowable in view of the deletion of the "encased munition" text, the inclusion of the subject matter of claim 3 which corresponds with the subject matter of claim 16, and the substantial correspondence in scope between claims 1 and 14. Favorable consideration and allowance of claims 1 and 14 is therefore requested.

New claim 28 substantially represents the subject matter of claim 27 rewritten in independent form. Therefore, claim 28 is allowable in accordance with the Examiner's identification of allowable subject matter in claim 27.

For at least the foregoing reasons, claims 1, 14 and 28 are in condition for allowance. Claims 4-6, 17-19, and 26 are also in condition for allowance as claims properly dependent on an allowable base claim.

All outstanding matters having been addressed, and the foregoing amendments placing the application into condition for

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allowance in accordance with the Examiner's indication of allowable subject matter, entry of this Amendment is proper after Final Action and is respectfully requested.

Should the Examiner have any questions or comments, the Examiner is cordially invited to telephone the undersigned attorney so that the present application can receive an early Notice of Allowance.

Respectfully submitted,

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